

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ERIC WARD
d/b/a The Foot Foundation LLC,

Plaintiff,

v.

MERCK & CO., INC.,

Defendant.

Civil No. 1:11-cv-9004

JURY TRIAL DEMANDED

The Honorable John Z. Lee

DEFENDANT'S MOTION
FOR LEAVE TO AMEND ITS SUPPLEMENTED INVALIDITY CONTENTIONS

Pursuant to Local Patent Rule 3.4, Defendant hereby seeks the Court's leave to amend Defendant's Supplemented Invalidity Contentions so as to incorporate evidence that Defendant uncovered during recent fact discovery. The Motion is based on this Notice, the Memorandum of Points and Authorities, the complete record in this action, and all matters of which the Court may take notice. Defendant has complied with the meet and confer requirement of the Local Rules.

Respectfully submitted,

Dated: November 17, 2014

By: s/Anthoula Pomrening

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Certificate of Service

I hereby certify that on November 17, 2014 a copy of the foregoing **DEFENDANT'S MOTION FOR LEAVE TO AMEND ITS INVALIDITY CONTENTIONS** was served by filing the attached paper with the Court's CM/ECF service and by electronic mail upon:

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